UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	**No. 4:15 CR 00049 CDP (DDN)**
RAMIZ ZIJAD HODZIC,	)	
SEDINA UNKIC HADZIC,	)	
NIHAD ROSIC,	)	
MEDIHA MEDY SALICEVIC, and	)	
ARMIN HARCVIC,	)	
	)	
Defendants.	)	

DEFENDANTS' JOINT REQUEST FOR AN EXTENSION OF TIME TO FILE EVIDENCE OF AN AFFIRMATIVE DEFENSE

Comes now Defendant Nihad Rosic, by and through undersigned counsel, and on behalf of all Defendants, Requests an Extension of Time to File "Evidence of an Affirmative Defense." In support of said Request, Defendant Rosic, on behalf of all Defendants, hereby states as follows:

1. On February 13, 2016, this Court entered its Order (Doc. 361) relative to the filing of "Traditional" Pretrial Motions and Notice of Affirmative Defense(s) which provided that each Defendant would have until May 1, 2017, to file said Motion(s) and/or Notice(s); the Government would have until May 22, 2017, in which to file a Response; and the Defendants would have until June 1, 2017, to Reply; and the Evidentiary Hearing would be set for the week of June 19, 2017.

2. Subsequent to the Court's Order of February 13, 2017, the Government filed a Motion for a *Frye* Hearing as to each of the Defendants and said Motions were set for hearing; however, subsequently a decision was issued vacating those Hearings and, the parties agreed that the issue of the Notice of an Affirmative Defense, that is, Combatant Immunity would be raised by the parties in a Joint Motion and Memorandum to be filed pursuant to the Order of February 13, 2017, but that the filing of "Traditional" Pretrial Motions would be stayed for the present time.

3. Counsel for the Defendants have met and would request of this Honorable Court an additional thirty (30) days in which to file their Notice of an Affirmative Defense for the following reasons:

(a) Defendants have retained an expert witness;

(b) Defendants are actively contacting witnesses who were engaged in the combat at the same time as Abdullah Pazarra;

(c) That one or more of the witnesses is not located in the United States and will require contact via Skype or other electronic means; and

(d) That additional time will be needed to determine the best means to depose its expert witnesses and potential witnesses.

4. In light of the foregoing Defendants believe that an additional thirty (30) days would not be prejudicial to any part and would request that the schedule for presenting Notice of an Affirmative Defense be amended as follows, to-wit:

Defendants filing an offer of evidence:	**June 1, 2017**
Government's Response:	**June 22, 2017**

Defendant's Reply: July 5, 2017

5. Undersigned counsel have discussed the filing of this Motion with Matthew Drake, Assistance United States Attorney, and he has no objection to its filing of the instant Motion.

WHEREFORE, for the foregoing reasons, Defendants collectively pray that this Honorable Court vacate its Orders of February 13, 2017 (Doc. 361); that a new Order be published in conformity with this Motion or, alternatively, to a schedule that meets with the Court's schedule; and for such other and further Orders as the Court deems meet and proper in the premises.

Respectfully submitted,

/S/ ***JoANN TROG***
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of March, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Matthew Drake, Kenneth Tihen and Howard Marcus, Assistant United States Attorney, 111 South 10th Street, 20th Floor, St. Louis, Missouri 63102 and Mara M. Kohn and Joshua D. Champagne, United States Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530; Diane Dragon, Kevin Curran and Michael Dwyer, Attorneys for Defendant Ramiz Zijad Hodzic, 1010 Market Avenue, Suite 200, Saint Louis, Missouri 63101; Paul D'Agrossa and Susan Kister, Attorney for Defendant Sedina Unkic Hodzic, 7710 Carondelet Avenue, Suite 200, Clayton, Missouri 63105; Andrea E. Gambino, Attorney for Defendant Mediha Medy Salkicevic, 53 West Jackson Boulevard, Suite 224, Chicago, Illinois 60604; and Charles D. Swift and Catherine McDonald, Attorneys for Defendant Armin Harcevic, 833 E. Arapaho Road, Suite 102, Richardson, Texas 75081.

/S/ ***JoANN TROG***